STAND. COM. REP. NO. 2178

Honolulu, Hawaii

FEB 1 5 2012

RE: S.B. No. 2003

S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2003 entitled:

"A BILL FOR AN ACT RELATING TO COURT FEES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase the fees for service of civil process;
- (2) Authorize private process servers who are duly qualified by law to serve as duly qualified process servers; and
- (3) Repeal the provision that prohibits the sheriff or police chief from retaining a percentage of service of process fees or expenses collected by the process server.

Your Committee received testimony in support of this measure from one private individual. The Department of Public Safety submitted comments.

Your Committee finds that the discontinuation of the Civil Section of the Sheriff Division created a need for private civil process servers. This measure increases the fees for service of civil process and authorizes private process servers to collect these fees. However, your Committee notes that the Department of Public Safety does not have legal authority and control over

private process servers, nor does the department train or supervise these process servers.

As such, your Committee has amended this measure by inserting an effective date of July 1, 2050, to ensure further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2003, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2003, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

CLAYTON HEE, Chair

The Senate Twenty-Sixth Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee	Referral:	Da	te: / /	
582003	JDL, WAM 2/7/12				
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)					
SHIMABUKURO, Maile (VC)					
GABBARD, Mike					
IHARA, Jr., Les		<u></u>			
SLOM, Sam					
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TOTAL		4		A/W	* /
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod					
File with Committee R	eport Clerk	's Office [Drafting Agency	Committe	e File Copy

^{*}Only one measure per Record of Votes